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OFFICE OF THE SECRETARY  
FEDERAL MARITIME COMM

HAPAG-LLOYD/NYK MEXICO-  
DOMINICAN REPUBLIC SLOT  
EXCHANGE AGREEMENT  
FMC Agreement No. 012064-003  
Third Revised Page No. 2

ARTICLE 5: AGREEMENT AUTHORITY

5.1 (a) The Parties shall exchange slots with each other on a one-for-one, used or unused basis. The initial exchange (the "basic allocation") shall be as follows: NYK shall provide Hapag-Lloyd with ~~175~~200 slots and 15 reefer plugs on each sailing of its weekly ANS service, and Hapag-Lloyd shall provide NYK with ~~175~~200 slots and 15 reefer plugs on each sailing of its weekly GS1 service, up to 40 slots of which may be used on each of Hapag-Lloyd's sailings to or from ports on the River Plate. The Parties shall discuss and agree on the amount to be paid for reefer plugs used. There shall be no financial compensation for unused slots within the basic allocation.

(b) In addition to the slot exchange provided for under Article 5.1(a) hereof, Hapag-Lloyd shall sell to NYK and NYK shall purchase from Hapag-Lloyd, space for 20 TEUs/240 tons on each sailing of its GCS service for the movement of cargo from Caucedo to Houston/Altamira/Veracruz. The Parties shall discuss and agree on the amount to be paid for such slots. Hapag-Lloyd is authorized to charter additional slots to NYK on an *ad hoc* basis, subject to space availability.

5.2 The Parties are authorized to buy/sell slots to/from one another in addition to the basic allocation on an *ad hoc* basis in such amounts and on such terms and conditions as they may agree from time to time.

5.3 In the event a port call is cancelled, the Party receiving slots on the service will, if required, receive additional slots on the next sailing, based on average liftings to/from the cancelled port on three (3) previous sailings to call at the port